

Message

---

**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 2/4/2019 4:01:49 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: E&E Publishes Hogwash Misleading Story

Sure, I will post now.

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6

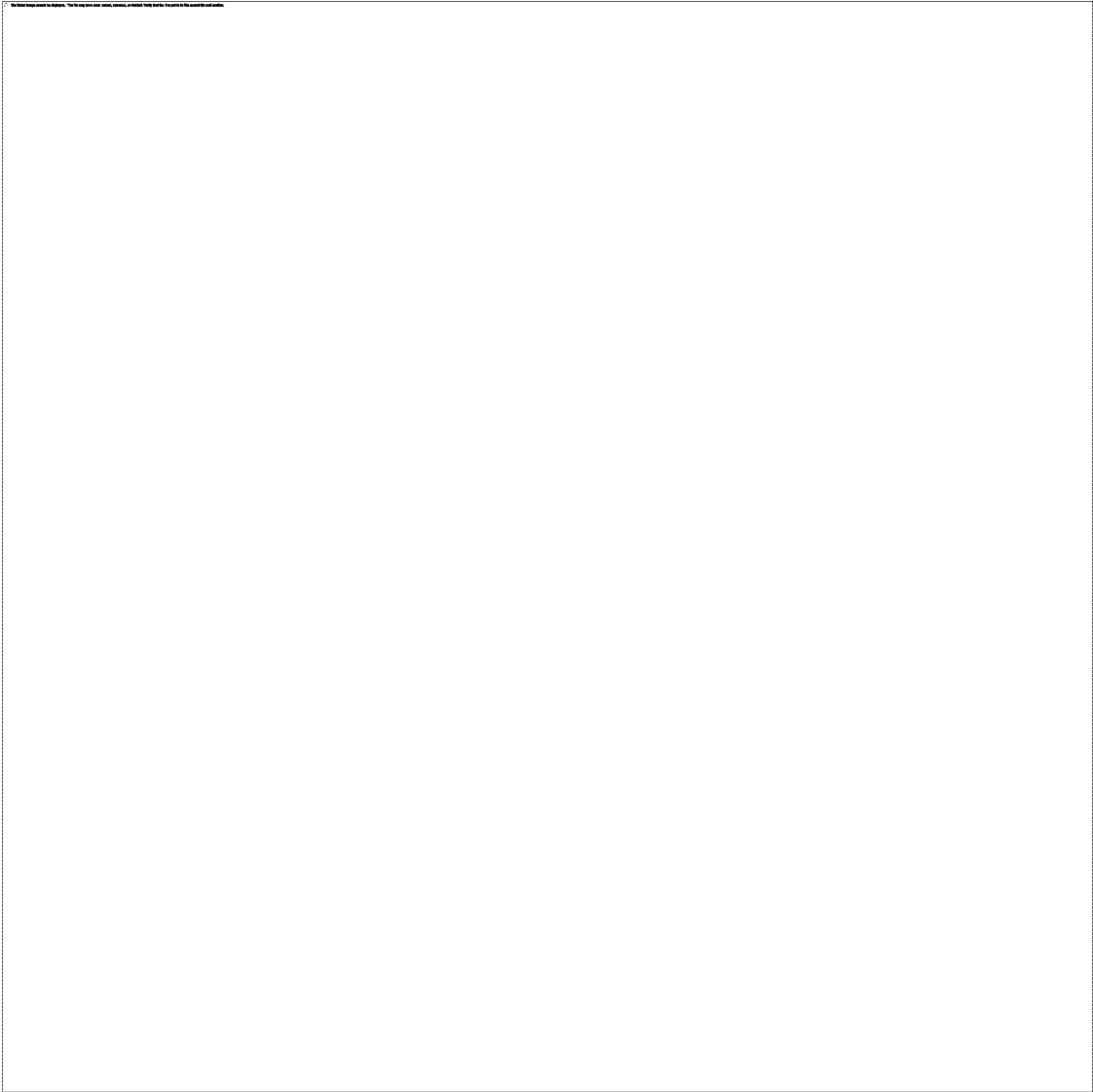
---

**From:** Block, Molly  
**Sent:** Monday, February 04, 2019 11:00 AM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: E&E Publishes Hogwash Misleading Story

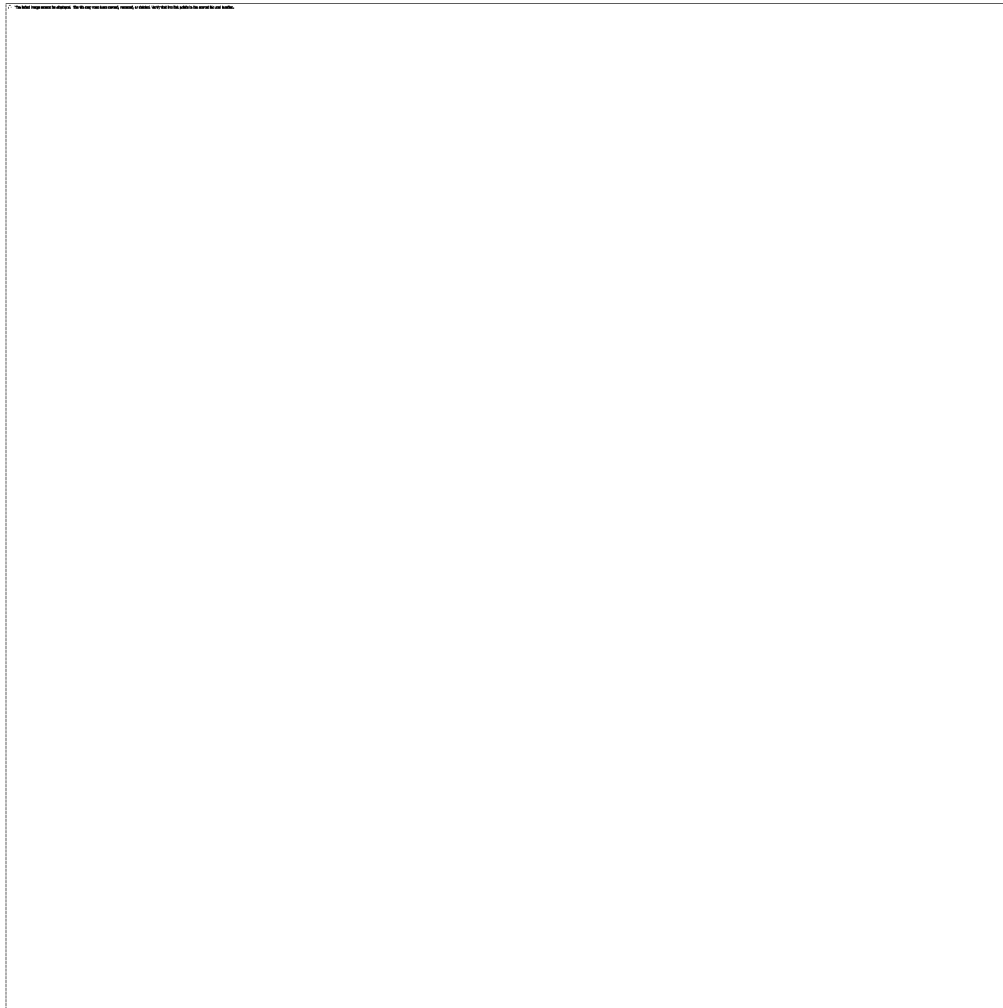
Can we get this posted online?

---

**From:** EPA Press Office <[press=epa.gov@cmail19.com](mailto:press=epa.gov@cmail19.com)> **On Behalf Of** EPA Press Office  
**Sent:** Friday, February 1, 2019 6:14 PM  
**To:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** E&E Publishes Hogwash Misleading Story



## **E&E Publishes Hogwash Misleading Story**



\*\*\*\*\*

Today, E&E News published an incredibly misleading story on Environmental Protection Agency (EPA) Acting Administrator Andrew Wheeler, claiming he has not carried out his ethics obligations because colleagues from his former firm communicated with EPA officials **PRIOR** to Wheeler's nomination or confirmation. They also present misleading insinuations that Wheeler has not lived up to his ethics obligations with no evidence. To be clear, Acting Administrator Wheeler has and will continue to follow his recusal statement and EPA career ethics officials guidance.

Clicks are more important than facts for E&E News in their latest ploy by implying guilt by association constitutes a story.

**Misleading:** "Wheeler's ex-firm lobbied agency on efforts he oversees" and that Acting Administrator Wheeler's former firm communicated with EPA officials on "two specific (Superfund) sites and one rulemaking — all of which Wheeler hasn't recused himself from working on."

**Reality:** The communication that E&E News cites occurred in July 2017, nearly four months prior to his nomination to become Deputy Administrator and nearly 10 months prior to his confirmation as Deputy Administrator. E&E News incorrectly implies that

because Acting Administrator Wheeler is now at EPA, his former firm's previous attempts to contact the Agency are retroactively prohibited.

.....

**Misleading:** E&E News claimed EPA acted on repealing an Obama-era proposal regarding cleanup of uranium mines at the behest of Energy Fuels Resources.

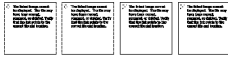
**Reality:** The Obama-era proposal was submitted on the last day of the Obama administration, and EPA lacks the statutory authority to act on this proposal. Furthermore, the communications E&E News cite occurred a full six months before Wheeler was nominated for the deputy administrator.

.....

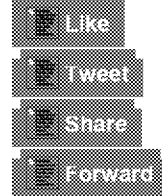
**Continuing Bias:** This isn't the first time E&E has misreported on this subject. In a July 2018 story, E&E News was forced to make a correction regarding Acting Administrator Wheeler's ethics obligations.

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U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue Northwest  
Washington, D.C. 20004



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Message

---

**From:** Fonseca, Silvina [Fonseca.Silvina@epa.gov]  
**Sent:** 2/1/2019 8:02:25 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Molina, Michael [molina.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** Re: Request for comment on Wheeler Superfund recusals

Ok. Thanks!

Sent from my iPhone

On Feb 1, 2019, at 2:57 PM, Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)> wrote:

We already sent a response, so we're good to go on this.

---

**From:** Fonseca, Silvina  
**Sent:** Friday, February 1, 2019 2:50 PM  
**To:** Molina, Michael <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Re: Request for comment on Wheeler Superfund recusals

Michael I'm sorry just got this. I'm on it unless you already have an answer.

Sent from my iPhone

On Feb 1, 2019, at 1:01 PM, Molina, Michael <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)> wrote:

Silvina.

Can you run this site against the last SF list we had to do a double check. I don't have them committed to memory and I am out of the office with AAW. The list is on my desk top.

Thank you very much.

MM

Sent from my iPhone

Begin forwarded message:

**From:** "Abboud, Michael" <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Date:** February 1, 2019 at 11:49:25 AM EST  
**To:** "Konkus, John" <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>, "Hewitt, James" <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>, "Block, Molly" <[block.molly@epa.gov](mailto:block.molly@epa.gov)>, "Molina, Michael" <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Molina –

Did Wheeler lobby for General Mills/Henkel Corp?

---

**From:** Abboud, Michael  
**Sent:** Friday, February 1, 2019 11:49 AM  
**To:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** FW: Request for comment on Wheeler Superfund recusals

Think we probably need to answer this one. I'm assuming they weren't included because he never worked on the projects?

---

**From:** Corbin Hiar <[chiar@eenews.net](mailto:chiar@eenews.net)>  
**Sent:** Friday, February 1, 2019 11:35 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Request for comment on Wheeler Superfund recusals

Emails released by the Sierra Club show that Acting Administrator Wheeler's former colleagues had extensive contact with former top EPA officials about the General Mills/Henkel Corp. Superfund site and the Navajo Nation Uranium Mines. Why aren't those cleanup areas included on Wheeler's [Superfund recusal list](#)? Thank you for any information or comment you can provide by 1 p.m.

Best,  
Corbin

**Corbin Hiar**  
E&E News Reporter  
O: 202 446 0438  
M: Ex. 6  
T: [@corbinhiar](https://twitter.com/corbinhiar)

Contact me securely via Signal, WhatsApp or  
[corbin.hiar@protonmail.com](mailto:corbin.hiar@protonmail.com)

---

**E&E NEWS**  
122 C St NW, 7<sup>th</sup> Fl; Washington, DC, 20001

*The leader in energy and environment news*  
Greenwire, E&E Daily, E&E News PM, Climatewire, Energywire

Message

---

**From:** Griffo, Shannon [Griffo.Shannon@epa.gov]  
**Sent:** 2/1/2019 6:22:55 PM  
**To:** Fugh, Justina [Fugh.Justina@epa.gov]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Mike's trying my house number. If that doesn't work, let's use:

**Ex. 6**

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Friday, February 01, 2019 1:22 PM  
**To:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Great idea! Do that and send us the call in #

---

**From:** Griffo, Shannon  
**Sent:** Friday, February 01, 2019 1:21 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Tell me if we want to open a conference line. I got disconnected again.

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Friday, February 01, 2019 1:20 PM  
**To:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Subject:** FW: Request for comment on Wheeler Superfund recusals

Here's what we're going to talk about



---

**From:** Abboud, Michael  
**Sent:** Friday, February 01, 2019 1:07 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: Request for comment on Wheeler Superfund recusals

Justina –

I just talked with Michael Molina about this inquiry.

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Do you mind giving me a quick call on this issue?

Mike Abboud

Ex. 6

---

**From:** Corbin Hiar <[chiar@eenews.net](mailto:chiar@eenews.net)>  
**Sent:** Friday, February 1, 2019 11:35 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Request for comment on Wheeler Superfund recusals

Emails released by the Sierra Club show that Acting Administrator Wheeler's former colleagues had extensive contact with former top EPA officials about the General Mills/Henkel Corp. Superfund site and the Navajo Nation Uranium Mines. Why aren't those cleanup areas included on Wheeler's [Superfund recusal list](#)? Thank you for any information or comment you can provide by 1 p.m.

Best,  
Corbin

**Corbin Hiar**  
E&E News Reporter  
O: 202 446 0438  
M: Ex. 6  
T: [@corbinhiar](https://twitter.com/corbinhiar)

Contact me securely via Signal, WhatsApp or [corbin.hiar@protonmail.com](mailto:corbin.hiar@protonmail.com)

---

### E&E NEWS

122 C St NW, 7<sup>th</sup> Fl; Washington, DC, 20001

*The leader in energy and environment news*

Greenwire, E&E Daily, E&E News PM, Climatewire, Energywire

Message

---

**From:** Molina, Michael [molina.michael@epa.gov]  
**Sent:** 2/1/2019 6:01:04 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** Re: Request for comment on Wheeler Superfund recusals

Short answer. The company that he represented was not the PRP on Navajo Nation, They were the perspective clean up company. General Mills is on his blanket recusal statement, as such, any SF site would be covered. And, he has honored that recusal as he has had no input on the matter as deputy or Acting Administrator.

Sent from my iPhone

On Feb 1, 2019, at 11:49 AM, Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)> wrote:

Molina –

Did Wheeler lobby for General Mills/Henkel Corp?

---

**From:** Abboud, Michael  
**Sent:** Friday, February 1, 2019 11:49 AM  
**To:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** FW: Request for comment on Wheeler Superfund recusals

Think we probably need to answer this one. I'm assuming they weren't included because he never worked on the projects?

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Best,  
Corbin

**Corbin Hiar**  
E&E News Reporter  
O: 202 446 0438  
M: Ex. 6  
T: [@corbinhiar](https://www.instagram.com/corbinhiar)

Contact me securely via Signal, WhatsApp or [corbin.hiar@protonmail.com](mailto:corbin.hiar@protonmail.com)

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122 C St NW, 7<sup>th</sup> Fl; Washington, DC, 20001

*The leader in energy and environment news*

Greenwire, E&E Daily, E&E News PM, Climatewire, Energywire

Message

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**From:** Molina, Michael [molina.michael@epa.gov]  
**Sent:** 2/1/2019 6:01:02 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** Re: Request for comment on Wheeler Superfund recusals

Yes.

My SF recusal list is on my desktop.

Sent from my iPhone

On Feb 1, 2019, at 11:49 AM, Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)> wrote:

Molina –

Did Wheeler lobby for General Mills/Henkel Corp?

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Best,  
Corbin

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O: 202 446 0438  
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T: [@corbinhiar](https://twitter.com/corbinhiar)

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Message

---

**From:** Hewitt, James [hewitt.james@epa.gov]  
**Sent:** 2/1/2019 10:24:46 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** last correction

This isn't the first time E&E has misreported on this subject. In a [July 2018 story](#), E&E News was forced to make a correction regarding Acting Administrator Wheeler's ethics obligations.

***Clarification:** This story was updated July 27 to make clear that Andrew Wheeler's Office of Government Ethics financial disclosure report shows Archer Daniels Midland could have paid him anytime between Jan. 1, 2015, and Aug. 12, 2017, when he signed off on the report. ADM suggested the work he was compensated for occurred sometime in 2015.*

James Hewitt  
Environmental Protection Agency  
Press Secretary  
(202) 578-6141

Message

---

**From:** Fonseca, Silvina [Fonseca.Silvina@epa.gov]  
**Sent:** 2/1/2019 10:17:50 PM  
**To:** Block, Molly [block.molly@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Molina, Michael [molina.michael@epa.gov]  
**CC:** Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

General Mills has been trying to delete the site and Region 5 has been working with the State on this issue. State is hesitant because of the neighboring site (not on the NPL) that has a gw contaminated plume and State does not want to support the delisting of the GM site. Region 5 RA is aware of the issue and has been working to resolve.

*Silvina Fonseca*  
*Special Assistant*  
*Office of the Administrator*  
*U.S. Environmental Protection Agency*  
*Desk: 202.564.1955*  
*Cell:* Ex. 6

---

**From:** Block, Molly  
**Sent:** Friday, February 01, 2019 5:04 PM  
**To:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Molina, Michael <molina.michael@epa.gov>  
**Cc:** Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Can you confirm that? I'm looking at the list of NPL sites in Minnesota on the EPA website and it's listed.

---

**From:** Fonseca, Silvina  
**Sent:** Friday, February 1, 2019 3:23 PM  
**To:** Abboud, Michael <abboud.michael@epa.gov>; Molina, Michael <molina.michael@epa.gov>  
**Cc:** Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Michael and Michael,

FYI... Neither the General Mills or the Navajo Nation Uranium are on the recusal list. If the GM site is the one in region 5, it is not on the NPL and neither are the Navajo Uranium Mines. Let me know if anything else is needed.

*Silvina Fonseca*  
*Special Assistant*  
*Office of the Administrator*  
*U.S. Environmental Protection Agency*  
*Desk: 202.564.1955*  
*Cell:* Ex. 6

---

**From:** Abboud, Michael  
**Sent:** Friday, February 01, 2019 2:57 PM  
**To:** Fonseca, Silvina <[Fonseca.Silvina@epa.gov](mailto:Fonseca.Silvina@epa.gov)>; Molina, Michael <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
**Cc:** Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
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**To:** Molina, Michael <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
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Silvina.

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**Date:** February 1, 2019 at 11:49:25 AM EST  
**To:** "Konkus, John" <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>, "Hewitt, James" <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>, "Block, Molly" <[block.molly@epa.gov](mailto:block.molly@epa.gov)>, "Molina, Michael" <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Molina –

Did Wheeler lobby for General Mills/Henkel Corp?

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**From:** Abboud, Michael  
**Sent:** Friday, February 1, 2019 11:49 AM  
**To:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
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**Sent:** Friday, February 1, 2019 11:35 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Request for comment on Wheeler Superfund recusals

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Best,  
Corbin

**Corbin Hiar**  
E&E News Reporter  
O: 202 446 0438  
M: Ex. 6  
T: [@corbinhiar](#)

Contact me securely via Signal, WhatsApp or [corbin.hiar@protonmail.com](mailto:corbin.hiar@protonmail.com)

---

**E&E NEWS**  
122 C St NW, 7<sup>th</sup> Fl; Washington, DC, 20001

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Greenwire, E&E Daily, E&E News PM, Climatewire, Energywire

Message

---

**From:** Cook, Steven [cook.steven@epa.gov]  
**Sent:** 2/1/2019 10:16:24 PM  
**To:** Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Block, Molly [block.molly@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Molina, Michael [molina.michael@epa.gov]  
**CC:** Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

I agree that the sight being referenced is the one on the NPL.

Is there anything else you need on this?

---

**From:** Fonseca, Silvina  
**Sent:** Friday, February 1, 2019 5:14 PM  
**To:** Block, Molly <block.molly@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Molina, Michael <molina.michael@epa.gov>  
**Cc:** Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Sorry yes, it is, I was recalling that there is an adjacent site to the GM site that is not listed. But you are correct it is. I just spoke with Michael A and explained.

*Silvina Fonseca*  
*Special Assistant*  
*Office of the Administrator*  
*U.S. Environmental Protection Agency*  
*Desk: 202.564.1955*  
*Cell:* Ex. 6

---

**From:** Block, Molly  
**Sent:** Friday, February 01, 2019 5:04 PM  
**To:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Molina, Michael <molina.michael@epa.gov>  
**Cc:** Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

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FYI... Neither the General Mills or the Navajo Nation Uranium are on the recusal list. If the GM site is the one in region 5, it is not on the NPL and neither are the Navajo Uranium Mines. Let me know if anything else is needed.

Silvina Fonseca  
Special Assistant  
Office of the Administrator  
U.S. Environmental Protection Agency  
Desk: 202.564.1955  
Cell: **Ex. 6**

---

**From:** Abboud, Michael  
**Sent:** Friday, February 01, 2019 2:57 PM  
**To:** Fonseca, Silvina <[Fonseca.Silvina@epa.gov](mailto:Fonseca.Silvina@epa.gov)>; Molina, Michael <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
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Sent from my iPhone

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Thank you very much.

MM

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**Date:** February 1, 2019 at 11:49:25 AM EST  
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Molina –

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**Sent:** Friday, February 1, 2019 11:35 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Request for comment on Wheeler Superfund recusals

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Best,  
Corbin

**Corbin Hiar**

E&E News Reporter

O: 202 446 0438

M: Ex. 6

T: [@corbinhiar](https://twitter.com/corbinhiar)

Contact me securely via Signal, WhatsApp or [corbin.hiar@protonmail.com](mailto:corbin.hiar@protonmail.com)

---

**E&E NEWS**

122 C St NW, 7<sup>th</sup> Fl; Washington, DC, 20001

*The leader in energy and environment news*

Greenwire, E&E Daily, E&E News PM, Climatewire, Energywire

Message

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**From:** Block, Molly [block.molly@epa.gov]  
**Sent:** 2/1/2019 10:04:37 PM  
**To:** Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Molina, Michael [molina.michael@epa.gov]  
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Here the link I used: <https://www.epa.gov/superfund/national-priorities-list-npl-sites-state#MN>

---

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E&E News Reporter

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**E&E NEWS**

122 C St NW, 7<sup>th</sup> Fl; Washington, DC, 20001

*The leader in energy and environment news*

Greenwire, E&E Daily, E&E News PM, Climatewire, Energywire

Message

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**From:** Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]  
**Sent:** 2/1/2019 7:03:36 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** FW: Request for comment on Wheeler Superfund recusals

Talked with Molina and Wheeler. Ran it by Justina and we are all good.

**DRAFT:** "Acting Administrator Wheeler is recused from all his former clients and is also recused from his former employer Faegre Baker Daniels. He has been and will continue to work with EPA career ethics officials to ensure his compliance with this statement."

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**Sent:** 2/1/2019 9:56:07 PM  
**To:** Hewitt, James [hewitt.james@epa.gov]  
**Subject:** FW: Request for comment on Wheeler Superfund recusals  
**Attachments:** DA Signed Recusal Statement .pdf

---

**From:** Abboud, Michael  
**Sent:** Friday, February 1, 2019 2:05 PM  
**To:** Corbin Hiar <chiar@eenews.net>; Press <Press@epa.gov>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Hey Corbin, see below and attached.

“Acting Administrator Wheeler is recused from all his former clients and is also recused from his former employer Faegre Baker Daniels. He has been and will continue to work with EPA career ethics officials to ensure his compliance with his recusal statement.” – **EPA spokesman**

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Washington, D.C. 20460

OFFICE OF  
ADMINISTRATOR

**MEMORANDUM**

SUBJECT: Recusal Statement

FROM: Andrew R. Wheeler  
Deputy Administrator

*Andrew R. Wheeler*  
5-24-18

TO: E. Scott Pruitt  
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

*FINANCIAL CONFLICTS OF INTEREST*

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

*OBLIGATIONS UNDER EXECUTIVE ORDER 13770*

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **Faegre Baker Daniels LLP**, or any former client to whom I provided legal or

consultative services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means that the meeting should include a multiplicity of parties representing a diversity of viewpoints. If my former employer or a former client is present, then I understand that, generally speaking, at least four other parties should be present to ensure that a diversity of viewpoints is represented and not the same united perspective.

Because I was formerly a federally registered lobbyist, I understand that I am also subject to the provisions of Section 1, paragraph 7 of the Executive Order. For a period of two years, I will not participate in any particular matter on which I lobbied in the preceding two years, nor will I participate in the specific issue area in which that particular matter falls. This recusal encompasses issues that I lobbied on before EPA as well as before other federal agencies during the preceding two years including, for example, Section 202(c) of the Federal Power Act.

Set forth below are my former clients identified in consultation with OGC/Ethics that have or may have environmental interests that could potentially arise with respect to my duties here at EPA,<sup>1</sup> as well as the specific issues areas from which I am recused:

RECUSAL LIST	
In effect until April 28, 2020	
FORMER EMPLOYER: <b>Faegre Baker Daniels LLP</b>	
FORMER CLIENTS:	
Murray Energy Sargento Food Inc. Underwriters Laboratories Energy Fuels Resources Inc.	Growth Energy International Paper Martin Farms Xcel Energy
FORMER LOBBYING ISSUES:	
Energy Star	

<sup>1</sup> For any former client that is not listed, I understand that I am personally obliged not to participate in specific party matters for the duration of my ethics obligations.

### *OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS*

Pursuant to federal ethics rules, I understand that I have a one-year cooling off period with any organization in which I was an active participant. For one year after my resignation from the National Energy Resources Organization (NERO), I am prohibited from participating personally and substantially in any particular matter involving specific parties in which NERO is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). That said, I acknowledge that NERO does not itself lobby or represents parties other than itself.

### *ATTORNEY BAR OBLIGATIONS*

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

### *SCREENING ARRANGEMENT*

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Michael Molina, Senior Advisor to the Deputy Administrator, to assist in screening EPA matters directed to my attention that involve those entities. All inquiries and comments involving the entities on my recusal list should be directed to Mr. Molina without my knowledge or involvement until after my recusal period ends.

If Mr. Molina determines that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

### *UPDATE AS NECESSARY*

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff  
Michael Molina, Senior Advisor to the Deputy Administrator  
Kevin Minoli, Designated Agency Ethics Official  
Justina Fugh, Senior Counsel for Ethics

Message

---

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**Sent:** 2/1/2019 9:48:38 PM  
**To:** Fugh, Justina [Fugh.Justina@epa.gov]; Griffo, Shannon [Griffo.Shannon@epa.gov]  
**Subject:** EE story

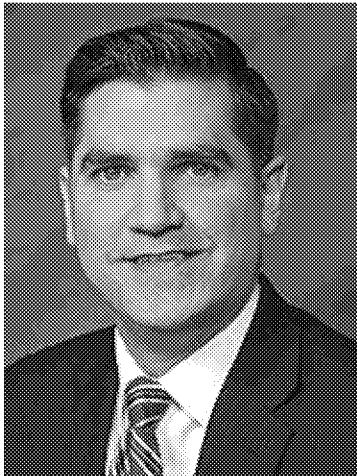
Wanted to flag it for you two.

A former colleague of acting EPA Administrator Andrew Wheeler repeatedly met with top EPA officials about toxic waste sites and regulations that Wheeler now controls, newly released emails show.

The communications between EPA's former point man for the Superfund toxic waste cleanup program and an ex-director at Wheeler's old lobbying firm discuss two specific sites and one rulemaking — all of which Wheeler hasn't recused himself from working on.

The emails raise questions about the sufficiency of the acting administrator's ethics disclosures, according to experts.

The polluted lands in question are the General Mills/Henkel Corp. Superfund Site in Minnesota that's contaminated with the carcinogen trichloroethylene and hundreds of abandoned uranium mines in Utah, Arizona and New Mexico that are blamed for leaking radiation into the groundwater of the Navajo Nation territory. Cleanup standards for the abandoned mines will be guided by regulations on uranium and thorium ore processing that the Obama administration sought to strengthen.



Darrin Munoz, Munoz/LinkedIn

"Thank you for taking the time to meet with the General Mills team today," former Faegre Baker Daniels Consulting Director Darrin Munoz wrote to Albert "Kell" Kelly, the banned banking executive whom former EPA Administrator Scott Pruitt picked to overhaul the Superfund program, and Kelly's top aide in July 2017 ([Greenwire](#), May 1, 2018).

"We very much appreciated your time and your offer to look into the former General Mills site in Minneapolis," said Munoz, who left Faegre two weeks ago, an official at the firm said today.

Although Wheeler wasn't included on the email, before joining EPA he acknowledged in a financial disclosure form that he provided "strategic advice and consulting" to General Mills between 2015 and August 2017.

Munoz provided Kelly with a report prepared in March 2017 by consultants to the food processing company. It argued "no additional response actions are necessary to address impacts associated with the historical activities at the General Mills/Henkel Facility" and claimed a nearby Sears Holdings Corp. property was the source of the site's trichloroethylene groundwater plume.

He also passed on a letter from the same month that General Mills sent to state environment regulators demanding the state "cooperate with U.S. EPA to de-list the General Mills/Henkel site from the National Priority list."

Rena Steinzor, a University of Maryland Carey School of Law professor who as a Democratic congressional staffer worked on the 1986 Superfund reauthorization, was surprised by the forceful tone of the letter.

"I first started working on this issue when Anne Gorsuch Burford and Rita Lavelle were still around," she said, referring to the disgraced Reagan-era EPA chief and the assistant administrator who oversaw Superfund and later went to jail for lying to Congress.

"Never was an outright demand for delisting at issue there, that I remember," Steinzor said. "That takes a lot of chutzpah."

Munoz also sought EPA's help for other companies associated with Wheeler, according to the emails, which were obtained by Sierra Club via Freedom of Information Act litigation ([Greenwire](#), Jan. 23).

"First off I want to thank you for meeting with myself and the folks from Pebble Mine a few weeks ago. We really appreciated you and the Administrator's time," he said in a May 11, 2017, [email](#). That meeting, with Munoz and Pebble LP officials, led Pruitt to initially withdraw a proposal that seeks to restrict large-scale mining in Alaska's Bristol Bay watershed, the world's largest sockeye salmon fishery ([Greenwire](#), July 24, 2018).

"I also wanted to ask if you know who would be handling 40 CFR Part 192," he said, referring to a section of federal law that calls for health and environmental protection standards for uranium and thorium mill tailings.

Later that month, Munoz and Energy Fuels Resources Inc. — a uranium reprocessing firm he and Wheeler had registered to lobby for — were scheduled to meet with top EPA policy and legal officials to "discuss the Part 192 rulemaking and the abandoned uranium mines cleanup," a calendar obtained by E&E News shows.

Energy Fuels has told investors it's looking "to become involved in the EPA-directed cleanup of abandoned uranium mines in the U.S. Four Corners Region and on the Navajo Nation."

In his recusal statement, Wheeler vowed to avoid contact with Energy Fuels until April 2020. But the document makes no mention of General Mills, the Navajo mine cleanup or the uranium processing proposal, which Wheeler ultimately withdrew.

The proposal from the Obama EPA sought to set tighter groundwater protection standards. But in a press release last October, Wheeler argued the scrapped effort "would have imposed significant burdens on uranium miners and the communities they support."

EPA defended Wheeler's continued involvement with the cleanups and rules.

"Acting Administrator Wheeler is recused from all his former clients and is also recused from his former employer Faegre Baker Daniels," an EPA spokesman said. "He has been and will continue to work with EPA career ethics officials to ensure his compliance with his recusal statement."

After E&E News first reported that Wheeler had met with some former clients, Wheeler announced last year that he'd gone above and beyond the Trump administration's ethics rules to recuse himself from overseeing 45 Superfund sites associated with companies he'd once represented ([Greenwire](#), Sept. 10, 2018).

But the General Mills/Henkel site and Navajo Nation uranium mines aren't included on that list.

Wheeler "is playing games with recusals and that's very serious," said Steinzor. "It's not honest or consistent with ethical rules."

Michael Abboud

U.S. Environmental Protection Agency

Office of Public Affairs

M: **Ex. 6**

Message

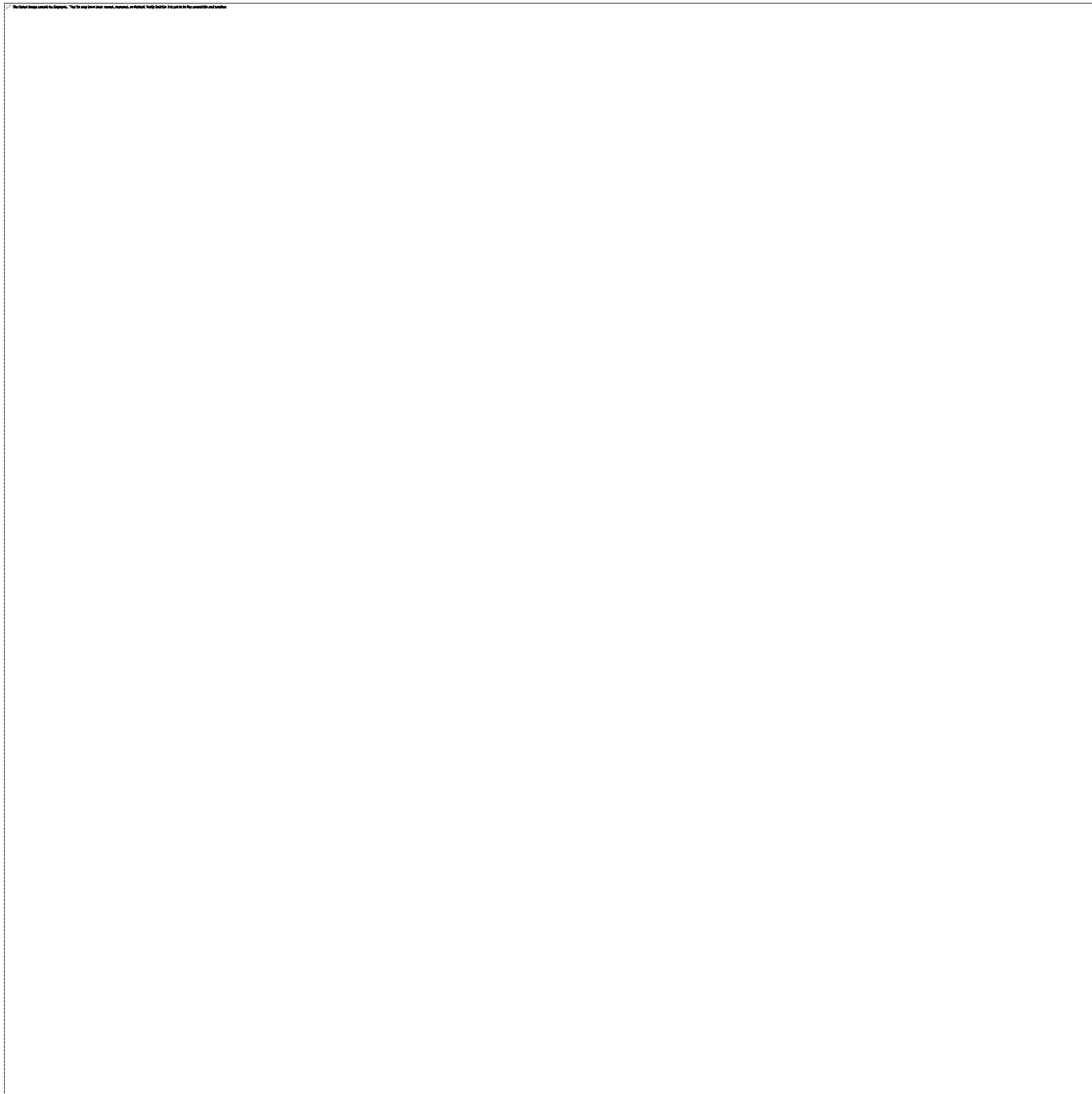
---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 2/4/2019 4:00:38 PM  
**To:** Drinkard, Andrea [Drinkard.Andrea@epa.gov]  
**Subject:** FW: E&E Publishes Hogwash Misleading Story

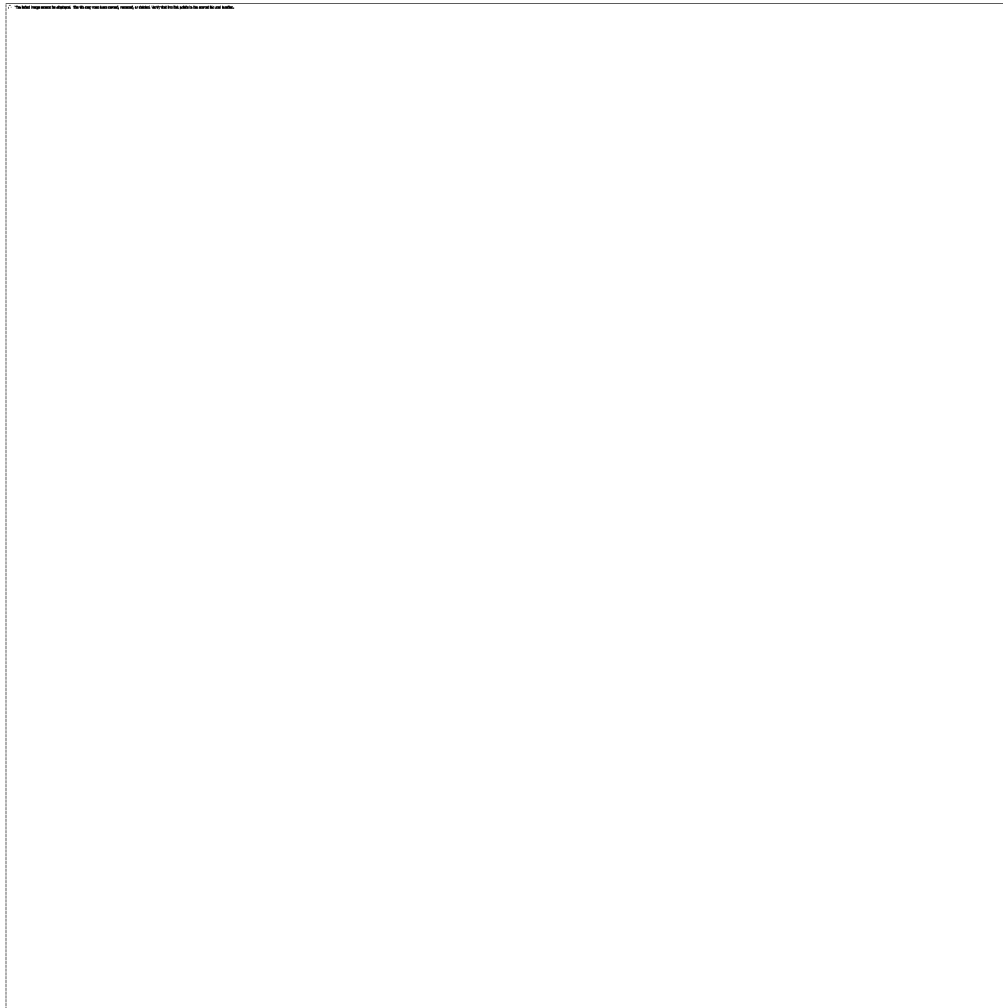
Another one

---

**From:** EPA Press Office <press=epa.gov@cmail19.com> **On Behalf Of** EPA Press Office  
**Sent:** Friday, February 1, 2019 6:14 PM  
**To:** Block, Molly <block.molly@epa.gov>  
**Subject:** E&E Publishes Hogwash Misleading Story



**E&E Publishes Hogwash Misleading Story**



\*\*\*\*\*

Today, E&E News published an incredibly misleading story on Environmental Protection Agency (EPA) Acting Administrator Andrew Wheeler, claiming he has not carried out his ethics obligations because colleagues from his former firm communicated with EPA officials **PRIOR** to Wheeler's nomination or confirmation. They also present misleading insinuations that Wheeler has not lived up to his ethics obligations with no evidence. To be clear, Acting Administrator Wheeler has and will continue to follow his recusal statement and EPA career ethics officials guidance.

Clicks are more important than facts for E&E News in their latest ploy by implying guilt by association constitutes a story.

**Misleading:** "Wheeler's ex-firm lobbied agency on efforts he oversees" and that Acting Administrator Wheeler's former firm communicated with EPA officials on "two specific (Superfund) sites and one rulemaking — all of which Wheeler hasn't recused himself from working on."

**Reality:** The communication that E&E News cites occurred in July 2017, nearly four months prior to his nomination to become Deputy Administrator and nearly 10 months prior to his confirmation as Deputy Administrator. E&E News incorrectly implies that



because Acting Administrator Wheeler is now at EPA, his former firm's previous attempts to contact the Agency are retroactively prohibited.

.....

**Misleading:** E&E News claimed EPA acted on repealing an Obama-era proposal regarding cleanup of uranium mines at the behest of Energy Fuels Resources.

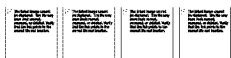
**Reality:** The Obama-era proposal was submitted on the last day of the Obama administration, and EPA lacks the statutory authority to act on this proposal. Furthermore, the communications E&E News cite occurred a full six months before Wheeler was nominated for the deputy administrator.

.....

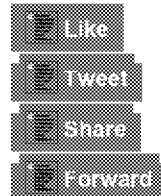
**Continuing Bias:** This isn't the first time E&E has misreported on this subject. In a July 2018 story, E&E News was forced to make a correction regarding Acting Administrator Wheeler's ethics obligations.

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Message

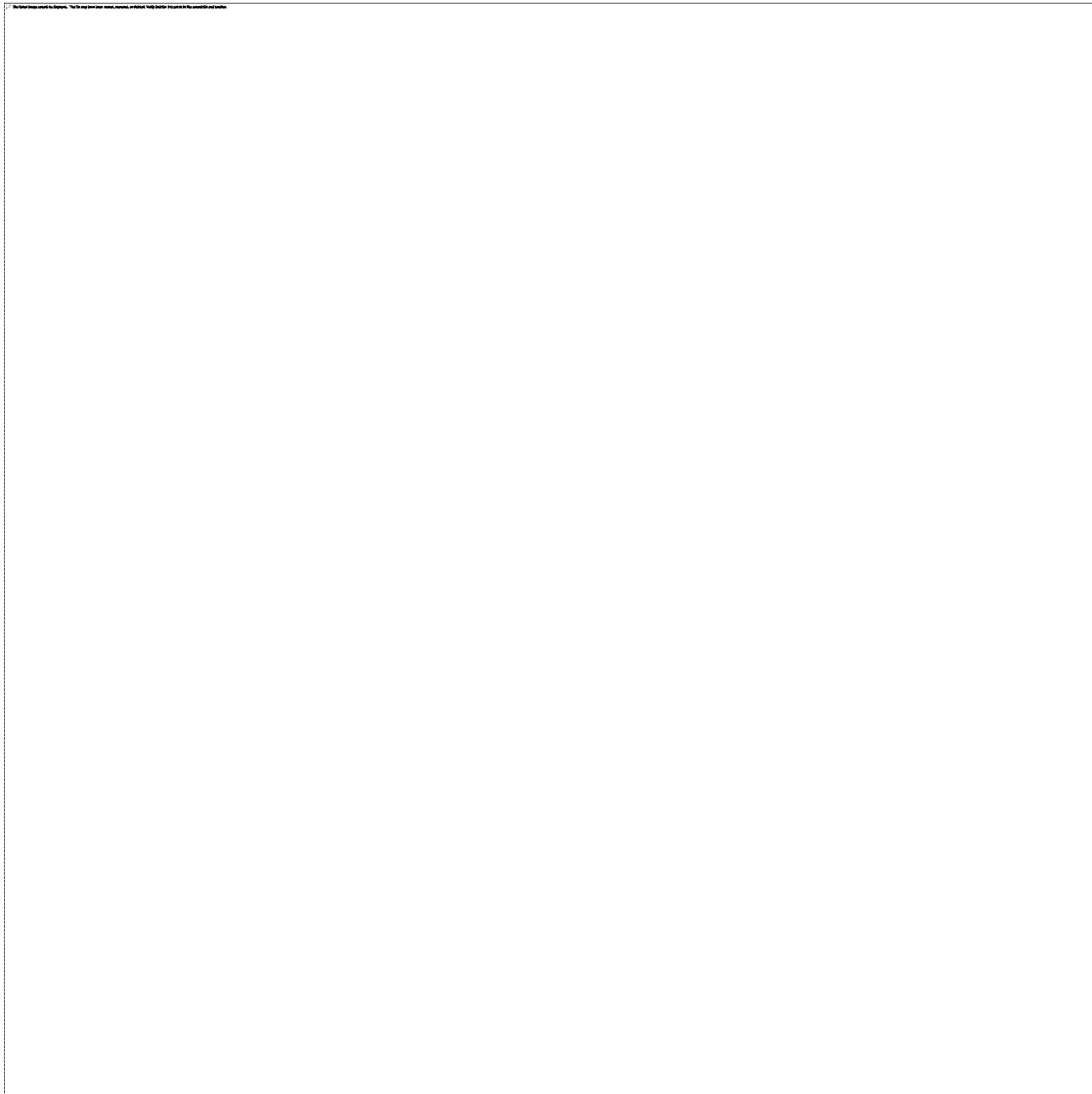
---

**From:** Jackson, Ryan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=38BC8E18791A47D88A279DB2FEC8BD60-JACKSON, RY]  
**Sent:** 2/1/2019 11:25:44 PM  
**To:** Andrew Wheeler (adm15.arwheeler.email@epa.gov) [adm15.arwheeler.email@epa.gov]  
**Subject:** FW: E&E Publishes Hogwash Misleading Story

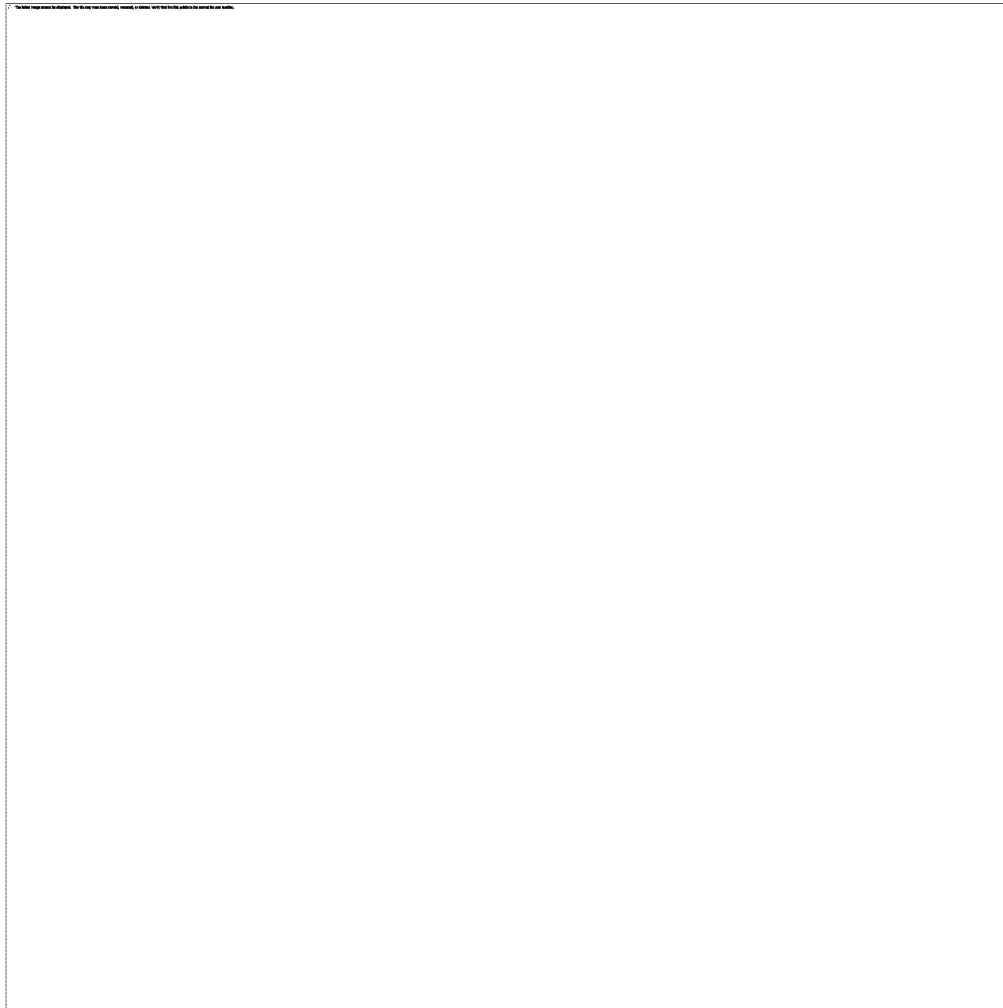
3

---

**From:** EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office  
**Sent:** Friday, February 1, 2019 6:14 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** E&E Publishes Hogwash Misleading Story



**E&E Publishes Hogwash Misleading Story**



\*\*\*\*\*

Today, E&E News published an incredibly misleading story on Environmental Protection Agency (EPA) Acting Administrator Andrew Wheeler, claiming he has not carried out his ethics obligations because colleagues from his former firm communicated with EPA officials **PRIOR** to Wheeler's nomination or confirmation. They also present misleading insinuations that Wheeler has not lived up to his ethics obligations with no evidence. To be clear, Acting Administrator Wheeler has and will continue to follow his recusal statement and EPA career ethics officials guidance.

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.....

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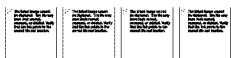
**Reality:** The Obama-era proposal was submitted on the last day of the Obama administration, and EPA lacks the statutory authority to act on this proposal. Furthermore, the communications E&E News cite occurred a full six months before Wheeler was nominated for the deputy administrator.

.....

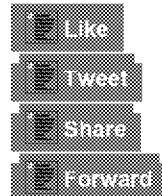
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1200 Pennsylvania Avenue Northwest  
Washington, D.C. 20004



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Message

---

**From:** Heather Swift [heather\_swift@ios.doi.gov]  
**Sent:** 2/1/2019 11:24:38 PM  
**To:** Konkus, John [konkus.john@epa.gov]  
**Subject:** Fwd: [EXTERNAL] E&E Publishes Hogwash Misleading Story

FWIW Corbin was taken off the Interior beat after his publishers became aware of his incompetence and loose ethics.

Heather Swift  
US Department of the Interior

Begin forwarded message:

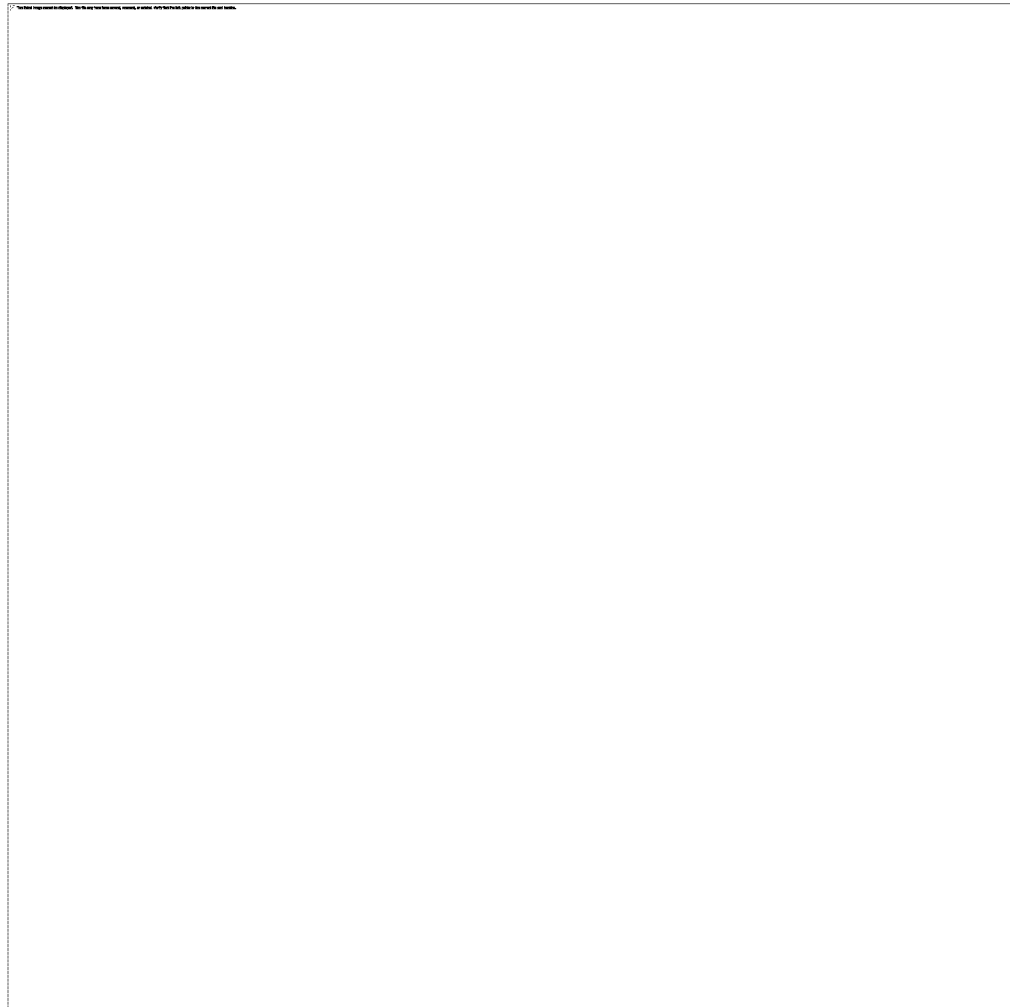
**From:** EPA Press Office <press@epa.gov>  
**Date:** February 1, 2019 at 6:14:08 PM EST  
**To:** "heather\_swift@ios.doi.gov" <heather\_swift@ios.doi.gov>  
**Subject:** [EXTERNAL] E&E Publishes Hogwash Misleading Story  
**Reply-To:** <press@epa.gov>

---

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## E&E Publishes Hogwash Misleading Story





---

Today, E&E News published an incredibly misleading story on Environmental Protection Agency (EPA) Acting Administrator Andrew Wheeler, claiming he has not carried out his ethics obligations because colleagues from his former firm communicated with EPA officials **PRIOR** to Wheeler's nomination or confirmation. They also present misleading insinuations that Wheeler has not lived up to his ethics obligations with no evidence. To be clear, Acting Administrator Wheeler has and will continue to follow his recusal statement and EPA career ethics officials guidance.

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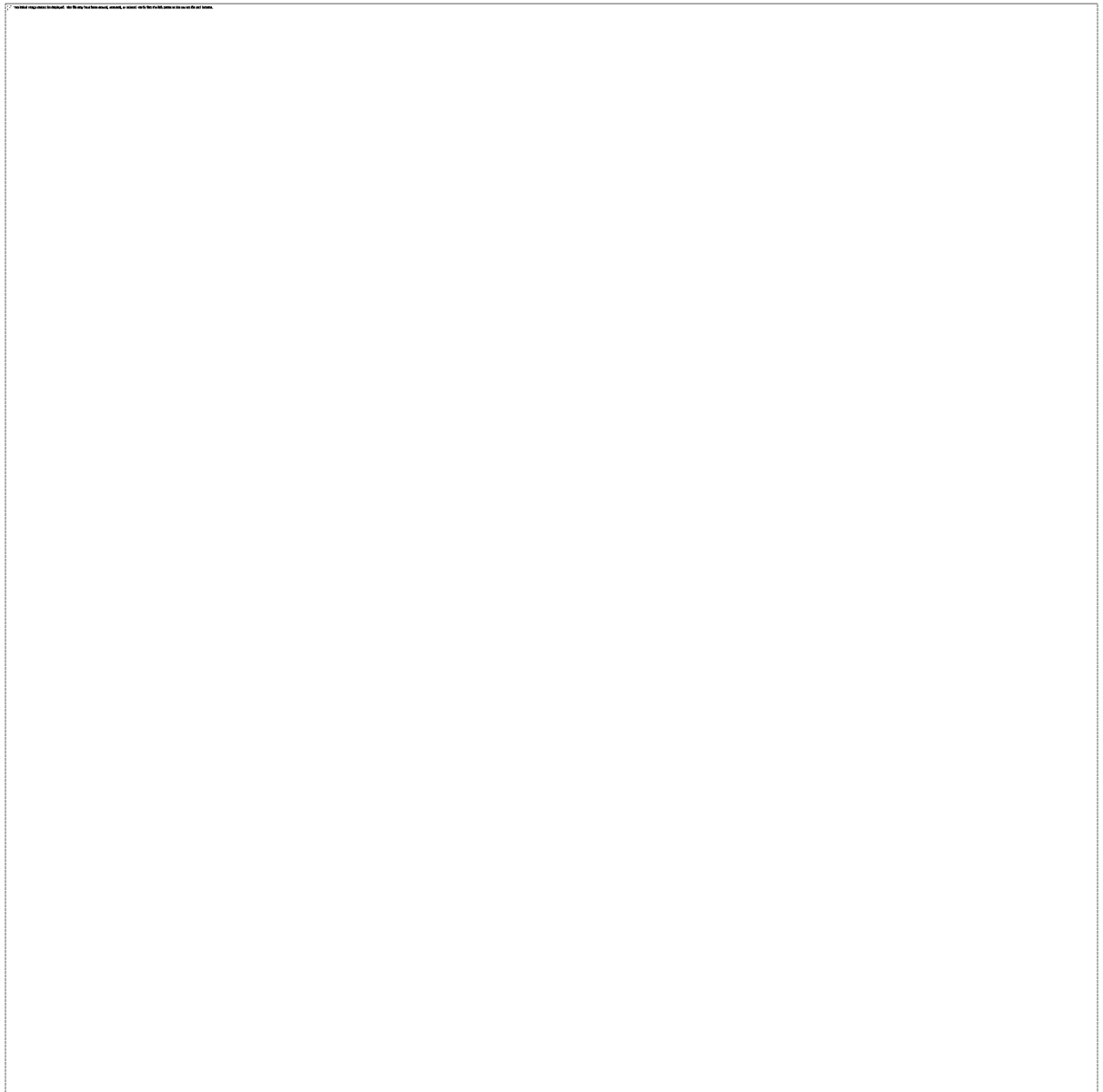
---

**Misleading:** E&E News claimed EPA acted on repealing an Obama-era proposal regarding cleanup of uranium mines at the behest of Energy Fuels Resources.

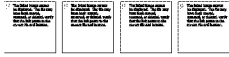
**Reality:** The Obama-era proposal was submitted on the last day of the Obama administration, and [EPA lacks the statutory authority to act on this proposal](#). Furthermore, the communications E&E News cite occurred a full six months before Wheeler was nominated for the deputy administrator.

---

**Continuing Bias:** This isn't the first time E&E has misreported on this subject. [In a July 2018 story](#), E&E News was forced to make a correction regarding Acting Administrator Wheeler's ethics obligations.



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Washington, D.C. 20004



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Message

---

**From:** Darwin, Veronica [darwin.veronica@epa.gov]  
**Sent:** 2/1/2019 4:51:53 PM  
**To:** Konkus, John [konkus.john@epa.gov]  
**Subject:** RE: Request for comment on Wheeler Superfund recusals  
**Attachments:** Copy of Sites for selected parties International Paper et al - Final\_06-27-2018.xlsx

Hi John,

I checked AAW's recusal list (attached) and AAW is not recused from General Mills/Henkel Corp Superfund site nor the Navajo Nation Uranium Mines. I suggest we ask OGC for language to respond to the question of why he's not recused. Per the reporter's question, his former colleagues made the contacts and not AAW. Does this help?

Veronica

---

**From:** Konkus, John  
**Sent:** Friday, February 1, 2019 11:40 AM  
**To:** Darwin, Veronica <darwin.veronica@epa.gov>  
**Subject:** FW: Request for comment on Wheeler Superfund recusals

Veronica: Do you mind checking to see if either of these sites are related to International Paper or any of AW's other former clients? Thank you.

---

**From:** Corbin Hiar <chiar@eenews.net>  
**Sent:** Friday, February 1, 2019 11:35 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Request for comment on Wheeler Superfund recusals

Emails released by the Sierra Club show that Acting Administrator Wheeler's former colleagues had extensive contact with former top EPA officials about the General Mills/Henkel Corp. Superfund site and the Navajo Nation Uranium Mines. Why aren't those cleanup areas included on Wheeler's [Superfund recusal list](#)? Thank you for any information or comment you can provide by 1 p.m.

Best,  
Corbin

**Corbin Hiar**  
E&E News Reporter  
O: 202 446 0438  
M: **Ex. 6**  
T: [@corbinhiar](#)

Contact me securely via Signal, WhatsApp or [corbin.hiar@protonmail.com](mailto:corbin.hiar@protonmail.com)

---

**E&E NEWS**

122 C St NW, 7<sup>th</sup> Fl; Washington, DC, 20001

*The leader in energy and environment news*

Greenwire, E&E Daily, E&E News PM, Climatewire, Energywire

Data as of 6/27/2018

Parties Searched	Sites Associated with Parti	
	NPL	Deleted-Non-NPL
International Paper	45	38
Energy Fuels	0	2
Murray Energy	0	0
Sargento Food	0	0
Underwriters Laboratories	0	0
Xcel Energy	0	0
Martin Farms	0	0
Growth Energy	0	0
Total	45	40

NPL - Final (Non FF)	1189
NPL - Proposed (Non FF)	49
Total Proposed/Final	1238
% of NPL Sites with Int Paper as a Party	4%

Expanded International Paper search to include the following subsidiaries:

Hammermill

Federal Paper Board

es
Total
83
2
0
0
0
0
0
0
85

Region	Site Name	EPA ID	State	NPL	NPL Listing Date
01	CHARLES GEORGE RECLAMATION TRUST LANDFILL	MAD003809266	MA	F	09/08/1983
01	OLD SOUTHTON LANDFILL	CTD980670806	CT	F	09/21/1984
01	OTTATI & GOSS/KINGSTON STEEL DRUM	NHD990717647	NH	F	09/08/1983
01	PETERSON/PURITAN, INC.	RID055176283	RI	F	09/08/1983
01	SOLVENTS RECOVERY SERVICE OF NEW ENGLAND	CTD009717604	CT	F	09/08/1983
01	WEST SITE/HOWS CORNERS	MED985466168	ME	F	09/29/1995
02	CHEMICAL CONTROL	NJD000607481	NJ	F	09/08/1983
02	COMBE FILL SOUTH LANDFILL	NJD094966611	NJ	F	09/08/1983
02	CURTIS SPECIALTY PAPERS, INC	NJD057143984	NJ	F	09/23/2009
02	MERCURY REFINING, INC.	NYD048148175	NY	F	09/08/1983
02	POLLUTION ABATEMENT SERVICES	NYD000511659	NY	F	09/08/1983
02	RAMAPO LANDFILL	NYD000511493	NY	F	09/08/1983
02	SARNEY FARM	NYD980535165	NY	F	06/10/1986
02	VOLNEY MUNICIPAL LANDFILL	NYD980509376	NY	F	06/10/1986
03	68TH STREET DUMP/INDUSTRIAL ENTERPRISES	MDD980918387	MD	P	04/30/2003
03	BELL LANDFILL	PAD980705107	PA	F	10/04/1989
03	BRESLUBE-PENN, INC.	PAD089667695	PA	F	06/17/1996
03	KANE & LOMBARD STREET DRUMS	MDD980923783	MD	F	06/10/1986
03	MILL CREEK DUMP	PAD980231690	PA	F	09/21/1984
03	SPECTRON, INC.	MDD000218008	MD	F	05/31/1994
04	ALTERNATE ENERGY RESOURCES INC	GAD033582461	GA	F	04/19/2006
04	LEONARD CHEMICAL CO., INC.	SCD991279324	SC	F	09/21/1984
04	MAXEY FLATS NUCLEAR DISPOSAL	KYD980729107	KY	F	06/10/1986
04	PEAK OIL CO./BAY DRUM CO.	FLD004091807	FL	F	06/10/1986
05	ALLIED PAPER, INC./PORTAGE CREEK/KALAMAZOO RIVER	MID006007306	MI	F	08/30/1990
05	AMERICAN CHEMICAL SERVICE, INC.	IND016360265	IN	F	09/21/1984
05	CHEM-DYNE	OHD074727793	OH	F	09/08/1983
05	ENVIROCHEM CORP.	IND084259951	IN	F	09/08/1983
05	FOX RIVER NRDA/PCB RELEASES	WI0001954841	WI	P	07/28/1998
05	K&L AVENUE LANDFILL	MID980506463	MI	F	09/08/1983
05	LAKE CALUMET CLUSTER	ILD000716852	IL	F	03/04/2010
05	LAMMERS BARREL FACTORY	OHD981537582	OH	F	09/29/2003
05	LENZ OIL SERVICE, INC.	ILD005451711	IL	F	10/04/1989
05	ORGANIC CHEMICALS, INC.	MID990858003	MI	F	09/08/1983
05	ST. REGIS PAPER CO.	MND057597940	MN	F	09/21/1984
06	SAN JACINTO RIVER WASTE PITS	TXN000606611	TX	F	03/19/2008
07	DOEPKE DISPOSAL (HOLLIDAY)	KSD980632301	KS	F	09/08/1983
08	LIBBY GROUND WATER CONTAMINATION	MTD980502736	MT	F	09/08/1983
08	SMURFIT-STONE MILL FRENCHTOWN	MTN000802850	MT	P	05/24/2013
09	CASMALIA RESOURCES	CAD020748125	CA	F	09/13/2001
09	J.H. BAXTER & CO.	CAD000625731	CA	F	10/04/1989
09	LORENTZ BARREL & DRUM CO.	CAD029295706	CA	F	10/04/1989
09	OMEGA CHEMICAL CORPORATION	CAD042245001	CA	F	01/19/1999
09	OPERATING INDUSTRIES, INC., LANDFILL	CAT080012024	CA	F	06/10/1986
10	COMMENCEMENT BAY, NEAR SHORE/TIDE FLATS	WAD980726368	WA	F	09/08/1983

Region	Site Name	EPA ID	State	NPL
01	SHPACK LANDFILL	MAD980503973	MA	D
02	CROWN VANTAGE LANDFILL	NJN000204492	NJ	D
02	FRONTIER CHEM WASTE	NYD043815703	NY	N
02	NEW YORK ENVIRONMENTAL RECOVERY GROUP	NYC200400083	NY	N
02	NIAGARA COUNTY REFUSE	NYD000514257	NY	D
02	PAS IRWIN DUMP	NYD000511618	NY	N
02	QUANTA RESOURCES CORPORATION	NYD980592448	NY	N
02	WARWICK LANDFILL	NYD980506679	NY	D
04	BCX FACILITY	FLD982109761	FL	N
04	CALDWELL SYSTEMS INC	NCD086871282	NC	N
04	CAROLINA STEEL DRUM CORP	SCD980559926	SC	N
04	CHEROKEE OIL COMPANY	NCD980799019	NC	N
04	CHEROKEE OIL SITE	NCD986190239	NC	N
04	FORTY-THIRD STREET BAY DRUM SITE	FLR000033514	FL	N
04	INDUSTRIAL POLLUTION CONTROLS (IPC)	MSD985972983	MS	N
04	MOWBRAY ENGINEERING CO.	ALD031618069	AL	D
04	PEARL RIVER FISH KILL	MSN000410727	MS	N
04	ROUSE STEEL DRUM	FLD032391542	FL	N
05	AMBER OIL COMPANY	WID980570246	WI	N
05	CHEMICAL RECOVERY	OHD057001810	OH	N
05	COMMERCIAL OIL SERVICE INCORPORATION	OHD000816843	OH	N
05	ENVIRONMENTAL WASTE RESOURCES	ILD087157251	IL	N
05	GREAT LAKES PAVING/ASPHALT	IND980990816	IN	N
05	I.J. COVINGTON ROAD	IND980501811	IN	N
05	LASKIN/POPLAR OIL CO.	OHD061722211	OH	D
05	NORTHWESTERN BARREL	WID981095995	WI	N
05	STICKNEY AVENUE LANDFILL AKA TOLEDO CITY LANDFILL	OHD000605956	OH	N
05	THIRD SITE	IND984876177	IN	N
05	TYLER STREET DUMP	OHD980510523	OH	N
06	ALLEN TRANSFORMER	ARD006356497	AR	R
06	LOUISIANA OIL RECYCLE & REUSE	LAD985219591	LA	N
07	PCB INC - KANSAS	KSD980963565	KS	N
07	PCB INC - MISSOURI	MOD063670350	MO	N
08	BLACKFOOT POST AND POLE	MTN000802264	MT	N
08	PETROCHEM RECYCLING CORP./EKOTEK PLANT	UTD093119196	UT	D
08	RAMP INDUST INC	COD980718985	CO	N
09	J.H. BAXTER & CO.	CAD008480204	CA	N
10	COAL CREEK AKA ROSS ELECTRIC	WAD980726061	WA	N



NPL Deleted Date
09/05/2017
08/28/2015
07/30/2004
07/06/2001
12/30/1993
09/05/2000
12/30/1982
06/30/2003

Region	Site Name	EPA ID	State	NPL
08	COLORADO SCHOOL OF MINES RI/CREEKSIDE	COD000823401	CO	N
08	HANSEN CONTAINERS	COD081469801	CO	N

Message

---

**From:** Konkus, John [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=555471B2BAA6419E8E141696F4577062-KONKUS, JOH]  
**Sent:** 2/1/2019 9:54:24 PM  
**To:** Darwin, Veronica [darwin.veronica@epa.gov]  
**Subject:** FW: Request for comment on Wheeler Superfund recusals

---

**From:** Abboud, Michael  
**Sent:** Friday, February 1, 2019 4:43 PM  
**To:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Molina, Michael <molina.michael@epa.gov>  
**Cc:** Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

When was the GM site on the NPL? Or has it ever been?

---

**From:** Fonseca, Silvina  
**Sent:** Friday, February 1, 2019 3:23 PM  
**To:** Abboud, Michael <abboud.michael@epa.gov>; Molina, Michael <molina.michael@epa.gov>  
**Cc:** Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Cook, Steven <cook.steven@epa.gov>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Michael and Michael,

FYI... Neither the General Mills or the Navajo Nation Uranium are on the recusal list. If the GM site is the one in region 5, it is not on the NPL and neither are the Navajo Uranium Mines. Let me know if anything else is needed.

*Silvina Fonseca*  
*Special Assistant*  
*Office of the Administrator*  
*U.S. Environmental Protection Agency*  
*Desk: 202.564.1955*  
*Cell:* **Ex. 6**

---

**From:** Abboud, Michael  
**Sent:** Friday, February 01, 2019 2:57 PM  
**To:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Molina, Michael <molina.michael@epa.gov>  
**Cc:** Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

We already sent a response, so we're good to go on this.

---

**From:** Fonseca, Silvina  
**Sent:** Friday, February 1, 2019 2:50 PM

**To:** Molina, Michael <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Re: Request for comment on Wheeler Superfund recusals

Michael I'm sorry just got this. I'm on it unless you already have an answer.

Sent from my iPhone

On Feb 1, 2019, at 1:01 PM, Molina, Michael <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)> wrote:

Silvina.

Can you run this site against the last SF list we had to do a double check. I don't have them committed to memory and I am out of the office with AAW. The list is on my desk top.

Thank you very much.

MM

Sent from my iPhone

Begin forwarded message:

**From:** "Abboud, Michael" <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Date:** February 1, 2019 at 11:49:25 AM EST  
**To:** "Konkus, John" <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>, "Hewitt, James" <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>, "Block, Molly" <[block.molly@epa.gov](mailto:block.molly@epa.gov)>, "Molina, Michael" <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Molina –

Did Wheeler lobby for General Mills/Henkel Corp?

---

**From:** Abboud, Michael  
**Sent:** Friday, February 1, 2019 11:49 AM  
**To:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** FW: Request for comment on Wheeler Superfund recusals

Think we probably need to answer this one. I'm assuming they weren't included because he never worked on the projects?

---

**From:** Corbin Hiar <[chiar@eenews.net](mailto:chiar@eenews.net)>  
**Sent:** Friday, February 1, 2019 11:35 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Request for comment on Wheeler Superfund recusals

Emails released by the Sierra Club show that Acting Administrator Wheeler's former colleagues had extensive contact with former top EPA officials about the General Mills/Henkel Corp. Superfund site and the Navajo Nation Uranium Mines. Why aren't those cleanup areas included on Wheeler's [Superfund recusal list](#)? Thank you for any information or comment you can provide by 1 p.m.

Best,  
Corbin

**Corbin Hiar**

E&E News Reporter

O: 202 446 0438

M: **Ex. 6**

T: @corbinhiar

Contact me securely via Signal, WhatsApp or [corbin.hiar@protonmail.com](mailto:corbin.hiar@protonmail.com)

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**E&E NEWS**

122 C St NW, 7<sup>th</sup> Fl; Washington, DC, 20001

*The leader in energy and environment news*

Greenwire, E&E Daily, E&E News PM, Climatewire, Energywire

Message

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**From:** Fonseca, Silvina [Fonseca.Silvina@epa.gov]  
**Sent:** 2/1/2019 10:42:53 PM  
**To:** Molina, Michael [molina.michael@epa.gov]  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

You are quite welcome. I think we clarified that the General Mills site is on the NPL.

*Silvina Fonseca*  
*Special Assistant*  
*Office of the Administrator*  
*U.S. Environmental Protection Agency*  
*Desk: 202.564.1955*  
*Cell:* **Ex. 6**

---

**From:** Molina, Michael  
**Sent:** Friday, February 01, 2019 5:31 PM  
**To:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>  
**Subject:** Re: Request for comment on Wheeler Superfund recusals

Thanks so much Silvina.

Sent from my iPhone

On Feb 1, 2019, at 3:23 PM, Fonseca, Silvina <Fonseca.Silvina@epa.gov> wrote:

Michael and Michael,

FYI... Neither the General Mills or the Navajo Nation Uranium are on the recusal list. If the GM site is the one in region 5, it is not on the NPL and neither are the Navajo Uranium Mines. Let me know if anything else is needed.

*Silvina Fonseca*  
*Special Assistant*  
*Office of the Administrator*  
*U.S. Environmental Protection Agency*  
*Desk: 202.564.1955*  
*Cell:* **Ex. 6**

---

**From:** Abboud, Michael  
**Sent:** Friday, February 01, 2019 2:57 PM  
**To:** Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Molina, Michael <molina.michael@epa.gov>  
**Cc:** Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

We already sent a response, so we're good to go on this.

---

**From:** Fonseca, Silvina  
**Sent:** Friday, February 1, 2019 2:50 PM  
**To:** Molina, Michael <molina.michael@epa.gov>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** Re: Request for comment on Wheeler Superfund recusals

Michael I'm sorry just got this. I'm on it unless you already have an answer.

Sent from my iPhone

On Feb 1, 2019, at 1:01 PM, Molina, Michael <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)> wrote:

Silvina.

Can you run this site against the last SF list we had to do a double check. I don't have them committed to memory and I am out of the office with AAW. The list is on my desk top.

Thank you very much.

MM

Sent from my iPhone

Begin forwarded message:

**From:** "Abboud, Michael" <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Date:** February 1, 2019 at 11:49:25 AM EST  
**To:** "Konkus, John" <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>, "Hewitt, James" <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>, "Block, Molly" <[block.molly@epa.gov](mailto:block.molly@epa.gov)>, "Molina, Michael" <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
**Subject:** RE: Request for comment on Wheeler Superfund recusals

Molina –

Did Wheeler lobby for General Mills/Henkel Corp?

---

**From:** Abboud, Michael  
**Sent:** Friday, February 1, 2019 11:49 AM  
**To:** Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** FW: Request for comment on Wheeler Superfund recusals

Think we probably need to answer this one. I'm assuming they weren't included because he never worked on the projects?

---

**From:** Corbin Hiar <[chiar@eenews.net](mailto:chiar@eenews.net)>  
**Sent:** Friday, February 1, 2019 11:35 AM  
**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>  
**Subject:** Request for comment on Wheeler Superfund recusals

Emails released by the Sierra Club show that Acting Administrator Wheeler's former colleagues had extensive contact with former top EPA officials about the General Mills/Henkel Corp. Superfund site and the Navajo Nation Uranium Mines. Why aren't those cleanup areas included

on Wheeler's Superfund recusal list? Thank you for any information or comment you can provide by 1 p.m.

Best,  
Corbin

**Corbin Hiar**

E&E News Reporter

O: 202 446 0438

M: Ex. 6

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Contact me securely via Signal, WhatsApp or  
[corbin.hiar@protonmail.com](mailto:corbin.hiar@protonmail.com)

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122 C St NW, 7<sup>th</sup> Fl; Washington, DC, 20001

*The leader in energy and environment news*

Greenwire, E&E Daily, E&E News PM, Climatewire, Energywire



Message

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**From:** Molina, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D19C1D68DA1A4587866E1850F22A6AE5-MOLINA, MIC]  
**Sent:** 2/1/2019 10:13:58 PM  
**To:** adm15.arwheeler.email [adm15.arwheeler.email@epa.gov]  
**Subject:** Fwd: EE story

Sent from my iPhone

Begin forwarded message:

**From:** "Abboud, Michael" <abboud.michael@epa.gov>  
**Date:** February 1, 2019 at 4:46:44 PM EST  
**To:** "Molina, Michael" <molina.michael@epa.gov>, "Block, Molly" <block.molly@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Konkus, John" <konkus.john@epa.gov>  
**Subject:** EE story

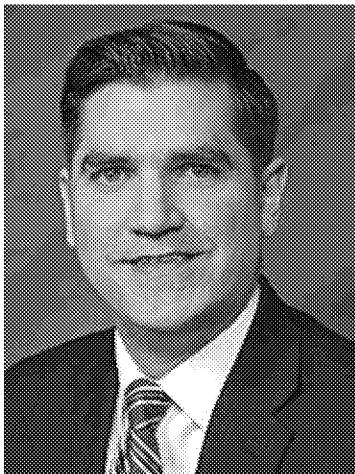
A couple things off the bat, the emails he's referring to are from May 2017 (six months before Wheeler was nominated as Deputy). General Mills site isn't an NPL according to Silvina .  
<https://www.eenews.net/stories/1060119337>

A former colleague of acting EPA Administrator Andrew Wheeler repeatedly met with top EPA officials about toxic waste sites and regulations that Wheeler now controls, newly released emails show.

The communications between EPA's former point man for the Superfund toxic waste cleanup program and an ex-director at Wheeler's old lobbying firm discuss two specific sites and one rulemaking — all of which Wheeler hasn't recused himself from working on.

The emails raise questions about the sufficiency of the acting administrator's ethics disclosures, according to experts.

The polluted lands in question are the General Mills/Henkel Corp. Superfund Site in Minnesota that's contaminated with the carcinogen trichloroethylene and hundreds of abandoned uranium mines in Utah, Arizona and New Mexico that are blamed for leaking radiation into the groundwater of the Navajo Nation territory. Cleanup standards for the abandoned mines will be guided by regulations on uranium and thorium ore processing that the Obama administration sought to strengthen.



Darrin Munoz. Munoz/LinkedIn

"Thank you for taking the time to meet with the General Mills team today," former Faegre Baker Daniels Consulting Director Darrin Munoz wrote to Albert "Kell" Kelly, the banned banking executive whom former EPA Administrator Scott Pruitt picked to overhaul the Superfund program, and Kelly's top aide in July 2017 (Greenwire, May 1, 2018).

"We very much appreciated your time and your offer to look into the former General Mills site in Minneapolis," said Munoz, who left Faegre two weeks ago, an official at the firm said today.

Although Wheeler wasn't included on the email, before joining EPA he acknowledged in a financial disclosure form that he provided "strategic advice and consulting" to General Mills between 2015 and August 2017.

Munoz provided Kelly with a report prepared in March 2017 by consultants to the food processing company. It argued "no additional response actions are necessary to address impacts associated with the historical activities at the General Mills/Henkel Facility" and claimed a nearby Sears Holdings Corp. property was the source of the site's trichloroethylene groundwater plume. He also passed on a letter from the same month that General Mills sent to state environment regulators demanding the state "cooperate with U.S. EPA to de-list the General Mills/Henkel site from the National Priority list."

Rena Steinzor, a University of Maryland Carey School of Law professor who as a Democratic congressional staffer worked on the 1986 Superfund reauthorization, was surprised by the forceful tone of the letter.

"I first started working on this issue when Anne Gorsuch Burford and Rita Lavelle were still around," she said, referring to the disgraced Reagan-era EPA chief and the assistant administrator who oversaw Superfund and later went to jail for lying to Congress.

"Never was an outright demand for delisting at issue there, that I remember," Steinzor said. "That takes a lot of chutzpah."

Munoz also sought EPA's help for other companies associated with Wheeler, according to the emails, which were obtained by Sierra Club via Freedom of Information Act litigation (Greenwire, Jan. 23).

"First off I want to thank you for meeting with myself and the folks from Pebble Mine a few weeks ago. We really appreciated you and the Administrator's time," he said in a May 11, 2017, email. That meeting, with Munoz and Pebble LP officials, led Pruitt to initially withdraw a proposal that seeks to restrict large-scale mining in Alaska's Bristol Bay watershed, the world's largest sockeye salmon fishery (Greenwire, July 24, 2018).

"I also wanted to ask if you know who would be handling 40 CFR Part 192," he said, referring to a section of federal law that calls for health and environmental protection standards for uranium and thorium mill tailings.

Later that month, Munoz and Energy Fuels Resources Inc. — a uranium reprocessing firm he and Wheeler had registered to lobby for — were scheduled to meet with top EPA policy and legal officials to "discuss the Part 192 rulemaking and the abandoned uranium mines cleanup," a calendar obtained by E&E News shows.

Energy Fuels has told investors it's looking "to become involved in the EPA-directed cleanup of abandoned uranium mines in the U.S. Four Corners Region and on the Navajo Nation."

In his recusal statement, Wheeler vowed to avoid contact with Energy Fuels until April 2020. But the document makes no mention of General Mills, the Navajo mine cleanup or the uranium processing proposal, which Wheeler ultimately withdrew.

The proposal from the Obama EPA sought to set tighter groundwater protection standards. But in a press release last October, Wheeler argued the scrapped effort "would have imposed significant burdens on uranium miners and the communities they support."

EPA defended Wheeler's continued involvement with the cleanups and rules.

"Acting Administrator Wheeler is recused from all his former clients and is also recused from his former employer Faegre Baker Daniels," an EPA spokesman said. "He has been and will continue to work with EPA career ethics officials to ensure his compliance with his recusal statement."

After E&E News first reported that Wheeler had met with some former clients, Wheeler announced last year that he'd gone above and beyond the Trump administration's ethics rules to recuse himself from overseeing 45 Superfund sites associated with companies he'd once represented ([Greenwire](#), Sept. 10, 2018).

But the General Mills/Henkel site and Navajo Nation uranium mines aren't included on that [list](#).

Wheeler "is playing games with recusals and that's very serious," said Steinzor. "It's not honest or consistent with ethical rules."

Michael Abboud

U.S. Environmental Protection Agency

Office of Public Affairs

M:

**Ex. 6**

Message

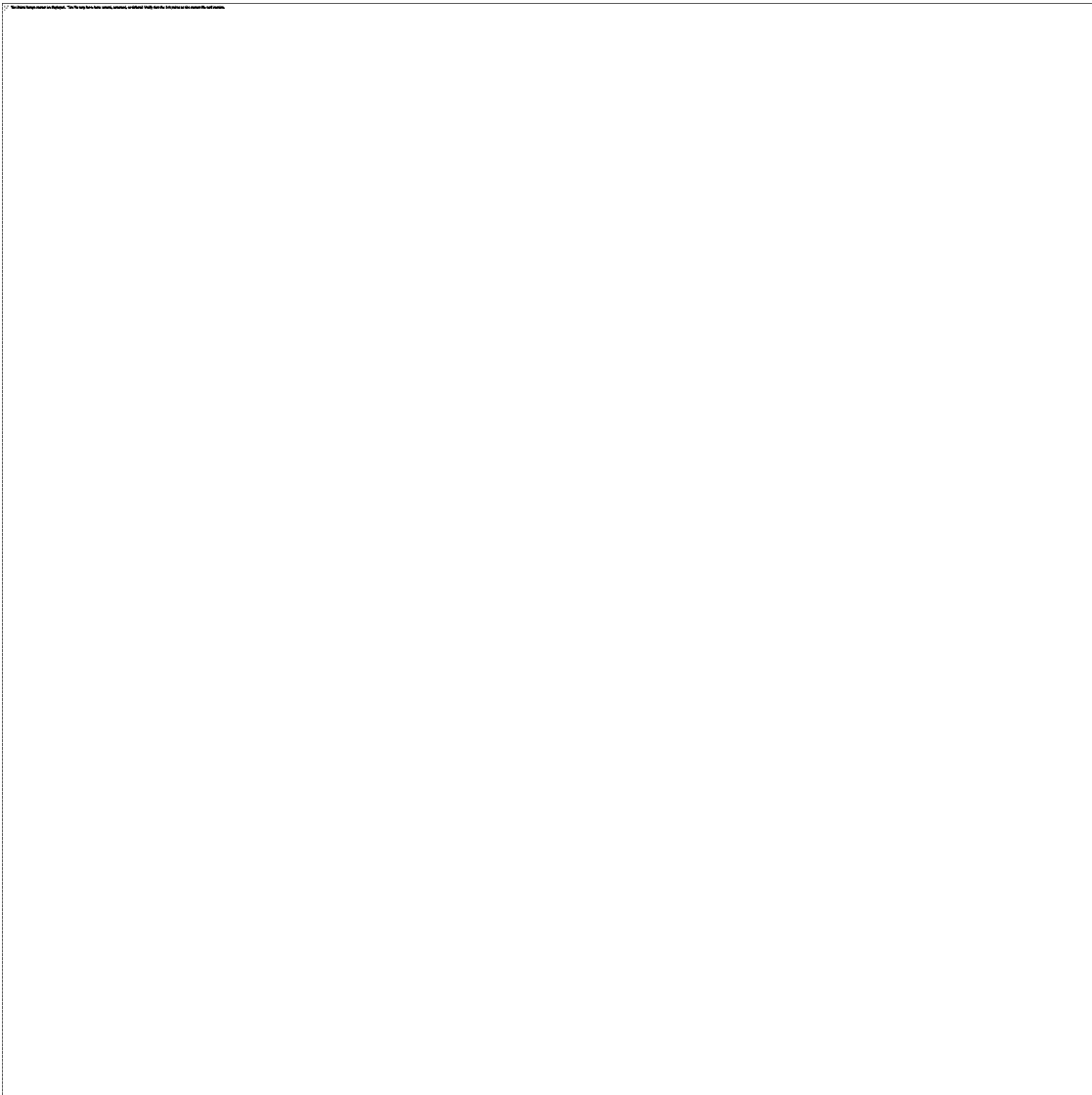
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**From:** Jackson, Ryan [jackson.ryan@epa.gov]  
**Sent:** 2/1/2019 11:25:44 PM  
**To:** adm15.arwheeler.email [adm15.arwheeler.email@epa.gov]  
**Subject:** FW: E&E Publishes Hogwash Misleading Story

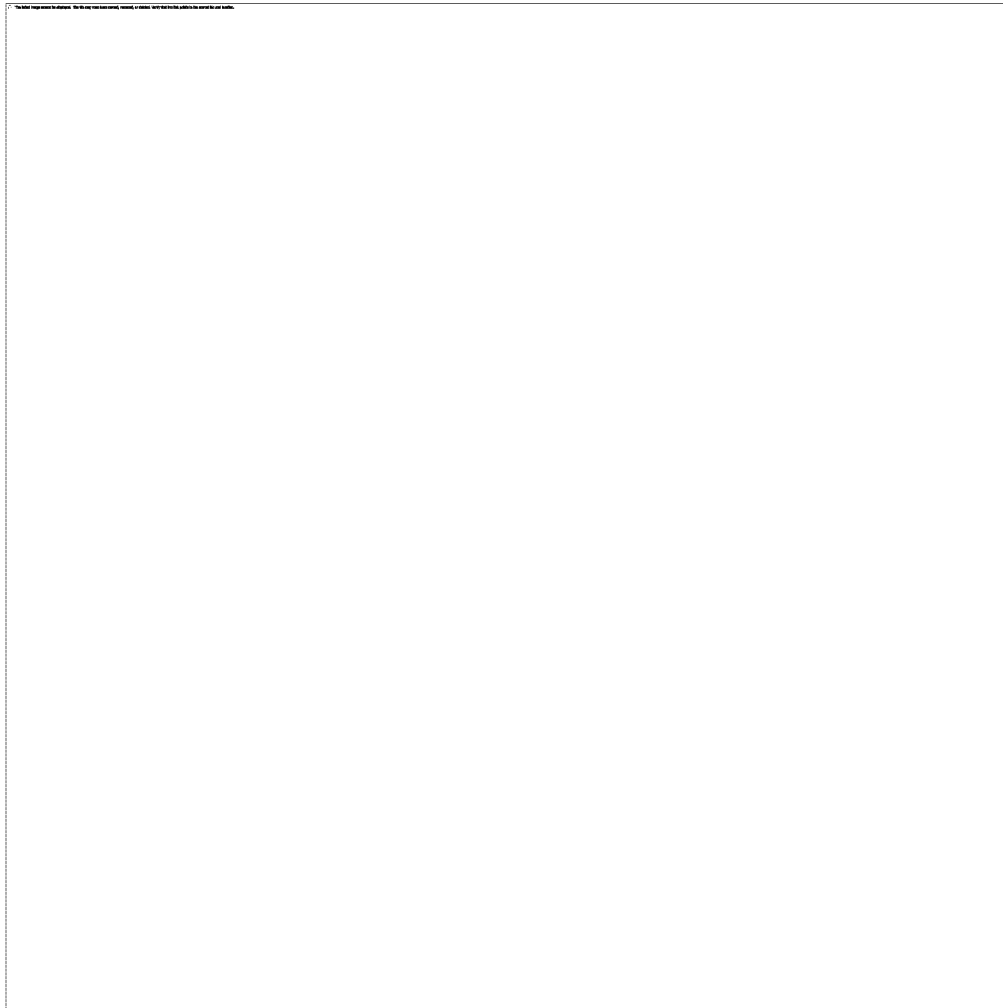
3

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**From:** EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office  
**Sent:** Friday, February 1, 2019 6:14 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** E&E Publishes Hogwash Misleading Story



**E&E Publishes Hogwash Misleading Story**



\*\*\*\*\*

Today, E&E News published an incredibly misleading story on Environmental Protection Agency (EPA) Acting Administrator Andrew Wheeler, claiming he has not carried out his ethics obligations because colleagues from his former firm communicated with EPA officials **PRIOR** to Wheeler's nomination or confirmation. They also present misleading insinuations that Wheeler has not lived up to his ethics obligations with no evidence. To be clear, Acting Administrator Wheeler has and will continue to follow his recusal statement and EPA career ethics officials guidance.

Clicks are more important than facts for E&E News in their latest ploy by implying guilt by association constitutes a story.

**Misleading:** "Wheeler's ex-firm lobbied agency on efforts he oversees" and that Acting Administrator Wheeler's former firm communicated with EPA officials on "two specific (Superfund) sites and one rulemaking — all of which Wheeler hasn't recused himself from working on."

**Reality:** The communication that E&E News cites occurred in July 2017, nearly four months prior to his nomination to become Deputy Administrator and nearly 10 months prior to his confirmation as Deputy Administrator. E&E News incorrectly implies that

because Acting Administrator Wheeler is now at EPA, his former firm's previous attempts to contact the Agency are retroactively prohibited.

.....

**Misleading:** E&E News claimed EPA acted on repealing an Obama-era proposal regarding cleanup of uranium mines at the behest of Energy Fuels Resources.

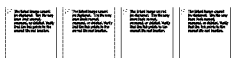
**Reality:** The Obama-era proposal was submitted on the last day of the Obama administration, and EPA lacks the statutory authority to act on this proposal. Furthermore, the communications E&E News cite occurred a full six months before Wheeler was nominated for the deputy administrator.

.....

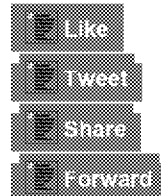
**Continuing Bias:** This isn't the first time E&E has misreported on this subject. In a July 2018 story, E&E News was forced to make a correction regarding Acting Administrator Wheeler's ethics obligations.

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